

# CALIFORNIA COASTAL COMMISSION

## LCP PLANNING

### GRANT APPLICATION FORM

SEPTEMBER 5, 2013

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For Fiscal Year 2013-2014, Governor Brown and the California Legislature approved an augmentation of \$1 million to the California Coastal Commission's budget to support local governments responsible for planning under the [California Coastal Act](http://www.coastal.ca.gov/lcp/lcpgrantprogram.html) (Coastal Act) to develop or update Local Coastal Programs (LCPs). A full description of the grant program is available <http://www.coastal.ca.gov/lcp/lcpgrantprogram.html>.

Coastal Commission staff is available to work with local governments and to assist you during the application process. Please note the entire grant application will be public record upon submittal. Click in the shaded text fields to enter text, numbers and dates. The fields will expand to accommodate the data. Press the tab key to move between fields.

#### APPLICANT INFORMATION

Applicant name (organization): City of Newport Beach


#### PROJECT INFORMATION

Project title: City of Newport Beach LCP Certification

LCP/ LCP Segment: Newport Beach

Project location: City / Geographic area: Newport Beach County: Orange

Project timeline: Start date: 10/01/12 End date: 01/30/16

#### MAPS AND PHOTOS

Applications must include one map showing the planning area for the project. Additional photos or maps may be included as attachments if needed to illustrate the proposed project. Please note: any photos and maps you submit are subject to the unqualified and unconditional right of the State of California to use, reproduce, publish, or display, free of charge. Please indicate if crediting is requested for the photos and/or maps.

## APPLICATION MATERIALS

**1. A PROJECT DESCRIPTION.** Provide a clear description of the proposed project organized under subheadings to describe how the project will address the priorities and criteria. This section should be no more than 5- 7 pages in 12 point font, single-spaced, and should include the following:

a. **The goals and objectives** of your project: Include a description of how you will accomplish each objective, and how your objectives will accomplish your goals.

b. **Project details:** Include a specific description of how the planning project will be carried out, including specific plans for community outreach and **how the project addresses the adopted priorities and criteria:**

**i. Public Benefit/Significance**

Please describe the extent to which the proposed LCP planning project will: (1) address issues of statewide significance and (2) maximize public benefits of the coast. These benefits can include: preserving and enhancing coastal habitat, protecting, providing and enhancing public access, protecting priority land uses such as agriculture, coastal dependent development or recreation, Smart Growth and sustainable development initiatives, protecting and providing lower cost visitor and recreational opportunities, and addressing climate change and sea-level rise. Provisions for citizen participation must be a part of the work program.

**ii. Relative Need for LCP Update/Extent of Update**

Describe the need for the proposal. For example, when was the LCP last updated in whole or in part? Is there an urgency related to the specific planning issues to be addressed? What is the scope of the effort? Please identify the specific elements of the LCP that you are targeting to be updated. Is it targeted to a particular geographic or policy area or to the entire jurisdiction? Does the LCP need to be reformatted or reorganized to improve the clarity and utility of the document and how it relates to other planning documents? Describe how the proposed planning project will be effective in conserving and protecting coastal resources, and how the proposed project builds upon or complements existing efforts that may be underway or completed for your jurisdiction.

**iii. Addressing the Effects of Climate Change**

Please describe how the proposed project addresses the effects of climate change, including sea-level rise and other coastal hazards. How will it

address shoreline protection, planned retreat and redevelopment of existing shoreline and blufftop development? How will it address other issue areas affected by climate change, such as changes in habitat, fire hazards, and transportation and land use policies to facilitate reductions in greenhouse gas emissions and vehicle miles travelled?

**iv. Likelihood of Success/Effectiveness**

Please describe the planning process, steps or mechanisms for coordination with the Coastal Commission staff and the public, and how this grant would advance that process. Please describe the factors that will contribute to the success and effectiveness of your project. Consider the following questions in your response:

- What steps or measures are proposed to help ensure that this effort will be successfully completed and implemented? If your jurisdiction is not yet certified, please explain the factors that make the success of this planning effort more likely. Similarly, if your jurisdiction previously received LCP grant funds, explain the factors that make the success of this planning effort more likely.
- What is the level of support for the project? Please describe or include information that shows support for the project such as resolutions of intent and endorsement for the proposed work, matching funds or other complementary efforts.
- Is LCP or related planning work already underway? How will this grant support and further that effort?

**v. Workload and Permit Streamlining**

Describe how this project may contribute to a more efficient and streamlined permitting and post-certification process.

**vi. Project Integration/Leverage/Matching Funds**

Please describe how this grant application will contribute to efficient use of informational resources, and any existing resources. What other grant funds have been committed or applied for? Are any matching funds or significant in-kind resources available? What other planning work (such as through the Ocean Protection Council, Coastal Conservancy or the Strategic Growth Council) is being undertaken that could help further the LCP effort? If other resources are limited or unavailable, describe the hardship circumstances that may warrant waiver of these considerations.

- 2. A WORK PROGRAM AND SCHEDULE.** Provide a work program and schedule for implementation of the project, including anticipated benchmarks for LCP and or LCP amendment development and review for the project, using the template provided below. Bear in mind that funds will not be available until early spring 2014 and some work tasks must be

scheduled to begin on or before April 30, 2014. Grantees will have two years to complete tasks, and work must be completed on or before April 30, 2016.

## SCHEDULE

Proposed starting date: October 2012.

Estimated completion: January 2016.

## WORK PROGRAM

TASKS	COMPLETION DATE
<b>Task 1. Advisory Committee</b>	
Objective: Establishment of an advisory committee to oversee the drafting of the Implementation Plan	
1.1 City Council Study Session	
1.2 Appointment of Committee	
Outcome/Deliverables:	Completed: October 2012
<b>Task 2. Draft Implementation Plan</b>	
Objective: Prepare an administrative draft of the Implementation Plan	
2.1 Administration/General Provisions	
2.2 Land Use Regulations	
2.3 Resource Protection Regulations	
2.4 Access Regulations	
2.5 Harbor Regulations	
2.6 Subdivision Regulations	
Outcome/Deliverables: Administrative Draft Implementation Plan	Projected Date: April 2014
<b>Task 3. Collaborate with CCC Staff</b>	
Objective: Early collaboration with Coastal Commission staff on key components of the Implementation Plan	

<b>TASKS</b>	<b>COMPLETION DATE</b>
3.1 Bluff Protection Issues	
3.2 Canyon Protection Issues	
3.3 Exemptions/Exclusions	
3.4 Public Trust Lands	
3.5 Permit Jurisdiction and Appeals Map	
3.6 Lower-cost Visitor-serving Uses	
Outcome/Deliverables: Consensus on key issues	Projected Date: July 2014
<b>Task 4. Community Outreach</b>	
Objective: Maximize opportunities for the participation of the public and all affected governmental agencies in the preparation of the Implementation Plan	
4.1 Distribute Notice of Intent	
4.2 Community Workshops	
4.3 Commission/City Council Study Sessions	
Outcome/Deliverables: Feedback from the public and affected government agencies	Projected Date: October 2014
<b>Task 5. Finalize Implementation Plan</b>	
Objective: Review comments received during public outreach; revise, as necessary	
5.1 Finalize Draft Implementation Plan	
Outcome/Deliverables: Public Hearing Draft Implementation Plan	Projected Date: December 2014
<b>Task 6. City Public Hearings</b>	
Objective: Continue public participation process by conducting public hearings pursuant to the Municipal Code	
6.1 Planning Commission Hearings	

<b>TASKS</b>	<b>COMPLETION DATE</b>
6.2 City Council Hearings	
Outcome/Deliverables: City approval of the Implementation Plan	Projected Date: March 2015
<b>Task 7. Coastal Commission Review</b>	
Objective: Coastal Commission review of the Implementation Plan	
7.1 Application Submittal	
7.2 Application Review by CCC Staff	
7.3 Application Deemed Complete	
7.4 IP Review by Coastal Commission Staff	
7.5 Coastal Commission Hearing(s)	
Outcome/Deliverables: Coastal Commission approval of the Implementation Plan	Projected Date: September 2015
<b>Task 8. City Council Adoption</b>	
Objective: City Council review and adoption of the Implementation Plan with any modifications made by the Coastal Commission	
8.1 Final Language from CCC	
8.2 Review of CCC modifications by the GP/LCP Implementation Committee	
8.3 Adoption of IP with CCC Modifications	
Outcome/Deliverables: Resolution adopting the Implementation Plan as modified by the Coastal Commission	Projected Date: November 2015
<b>Task 9. Certification</b>	
Objective: Certification of the Implementation Plan	
9.1 Transmittal of City Council Action	

<b>TASKS</b>	<b>COMPLETION DATE</b>
9.2 CCC Staff Review	
9.3 Certification by CCC	
Outcome/Deliverables: Certified Local Coastal Program	Projected Date: January 2016

Please list (1) all significant and pertinent project benchmarks related to the project for which funds are being requested, (2) expected dates for reaching or completing those steps. These will be used in monitoring grant progress and in grant reporting under approved contracts.

### **BENCHMARK SCHEDULE**

<b>ACTIVITY</b>	<b>COMPLETION DATE</b>
Administrative Draft Implementation Plan I	April 2014
Administrative Draft Implementation Plan II	July 2014
Administrative Draft Implementation Plan III	September 2014
Public Hearing Draft Implementation Plan I	December 2014
Public Hearing Draft Implementation Plan II	February 2015
City-approved Draft implementation Plan	April 2015
Coastal Commission-approved Implementation Plan	September 2015
Certified Implementation Plan	January 2016

3. **A BUDGET.** Please provide a proposed budget, including the Application Budget Information and a Budget Summary, using the provided Application Budget Form.

### **APPLICATION BUDGET INFORMATION**

**Funding Request: \$131,465.38**

**Total Project Cost: \$262,930.78**

If multiple funding sources are being used, in the funding sources matrix below, list the major tasks of the proposed project and indicate the estimated cost of each, including source of funding for task. These tasks should correlate with your overall Work Program. An example follows the matrix.

### PROJECT FUNDING SOURCES

Task Number	Task	Total Cost	Allocation of total cost among all funding sources			
			Applicant's funding	LCP Grant Funding	Other Funds (define below)	Other funds (define below)
1	Advisory Committee	\$13,830.16	\$6,915.08	\$6,915.08	\$0.00	\$0.00
2	Draft IP	\$112,291.61	\$56,145.81	\$56,145.81	\$0.00	\$0.00
3	Collaboration with CCC staff	\$13,486.49	\$6,743.25	\$6,743.25	\$0.00	\$0.00
4	Community Outreach	\$22,982.73	\$11,491.37	\$11,491.37	\$0.00	\$0.00
5	Finalize IP	\$12,256.20	\$6,128.10	\$6,128.10	\$0.00	\$0.00
6	City Public Hearings	\$21,771.13	\$10,885.56	\$10,885.56	\$0.00	\$0.00
7	CCC Review	\$39,702.23	\$19,851.12	\$19,851.12	\$0.00	\$0.00
8	City Council Adoption	\$13,986.20	\$6,993.10	\$6,993.10	\$0.00	\$0.00
9	Certification	\$12,624.02	\$6,312.01	\$6,312.01	\$0.00	\$0.00
<b>TOTAL</b>		<b>\$262,930.78</b>	<b>\$131,465.39</b>	<b>\$131,465.39</b>	<b>\$0.00</b>	<b>\$0.00</b>

### Sample: Project Funding Sources

Task Number	Task	Total Cost	Allocation of total cost among all funding sources			
			Applicant's Funding	LCP Grant Funding	Other funds (define below)	Other Funds (define below)
1		\$57,000	\$20,000	\$20,000	\$30,000	\$7,000
2		\$5,000	\$5,000	\$5,000		
3		\$5,000	\$5,000	\$25,000		
4						
<b>TOTAL</b>		<b>\$107,000</b>	<b>\$30,000</b>	<b>\$50,000</b>	<b>\$30,000</b>	<b>\$7,000</b>

### OTHER FUNDING SOURCES (NOT INCLUDING IN-KIND SERVICES)

\$ Amount	Source of funds	Status (Committed, Applied,
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		<b>etc)</b>
\$0.00	N/A	N/A
\$0.00	N/A	N/A
\$0.00	N/A	N/A
\$0.00	N/A	N/A
\$0.00	N/A	N/A

### **In-kind Services: \$0.00**

In-kind services or contributions include staff time, volunteer time and materials contributed to the project. Please describe and estimate value, and differentiate between expected in-kind contributions and contributions (work or other types of contributions) already obtained/completed.

### **BUDGET SUMMARY**

#### **Grant Application Budget Form**

Organization Name: City of Newport Beach  
 Project Title: Local Coastal Program Certification  
 Requested Amount: \$131,465.38

	<b>Grant Request Budget</b>	<b>Total Project Budget (if different)</b>
<b>Personnel:</b>		
Salaries and Wages <sup>(1)</sup>	<u>\$82,091.67</u>	<u>\$164,183.34</u>
Benefits <sup>(2)</sup>	<u>\$30,301.87</u>	<u>\$60,603.73</u>
<i>Total Personnel</i>	<u>\$112,393.53</u>	<u>\$224,787.07</u>
<b>Operating Expenses</b>		
Postage/Shipping	<u>\$1,000.00</u>	<u>\$2,000.00</u>
Supplies/Materials <sup>(3)</sup>	<u>\$0.00</u>	<u>\$0.00</u>
Travel <sup>(4)</sup>	<u>\$832.50</u>	<u>\$1,665.00</u>

<sup>(1)</sup> Attach an explanation of rate(s) and hours for each position for which funds are being requested.

<sup>(2)</sup> Amount requested for benefits not to exceed 40% of amount requested for salary or wage.

<sup>(3)</sup> Include a list of the major supplies and materials and how much they cost.

<sup>(4)</sup> Travel reimbursement rates are the same as similarly situated state employees.

<sup>(5)</sup> Indirect costs include, for example, a pro rata share of rent, utilities, and salaries for certain positions indirectly supporting the proposed project but not directly staffing it. Amount requested for indirect costs should be capped at 10% of amount requested for "Total Personnel."

Indirect Costs <sup>(5)</sup>	<u>\$11,239.35</u>	<u>\$22,478.71</u>
Other:		
<u>Printing</u>	<u>\$6,000.00</u>	<u>\$12,000.00</u>
<i>Total Operating Expenses</i>	<u>\$19,071.85</u>	<u>\$38,143.71</u>
<b>Total Budget</b>	<b><u>\$131,465.38</u></b>	<b><u>\$262,930.78</u></b>

4. **A RESOLUTION FROM THE APPLICANT’S GOVERNING BODY.** Please submit a resolution containing that contains the following authorizations: 1) authority to submit the proposal, 2) authority to enter into a contract with the California Coastal Commission if the grant is awarded, and 3) designation of the applicant’s authorized representative (name and title). A sample resolution is provided as Attachment A.

### SUBMISSION DATES

**Applications are due November 22, 2013. Application packets must be RECEIVED by 5pm November 22, 2013. Proposals must be emailed or mailed; faxed responses will not be considered.**

If the governing body of an applicant cannot adopt a resolution similar to Attachment A of the application by this date, the applicant can submit the proposal with a draft resolution, provide a date for when the governing body will consider adoption of the resolution and **submit the adopted resolution by 5pm December 19, 2013**. All other materials must be submitted by the November 22, 2013 deadline. Applications will not be deemed complete until an adopted resolution is received. **Applications that do not contain a final, adopted resolution by December 19, 2013 will not be considered for funding.**

The Commission is expected to award grants in early 2014.

### SUBMISSION REQUIREMENTS

Please submit the completed application form, including all attachments, via email to Hilary Papendick, Statewide LCP Grant Coordinator, at [LCPGrantProgram@coastal.ca.gov](mailto:LCPGrantProgram@coastal.ca.gov). Please submit all application materials as **a single PDF file AND submit the Project Description, Work Program, Budget, and Schedule as a Word document**. See Attachment B for a checklist of required application materials.

If you are unable to submit via email, you may mail a CD and hard copy to the Coastal Commission:

Hilary Papendick  
Statewide LCP Grant Coordinator  
California Coastal Commission

45 Fremont Street, Suite 2000  
San Francisco, CA 94105  
415-904-5294

Please note: all information that you submit is subject to the unqualified and unconditional right of the Coastal Commission to use, reproduce, publish, or display, free of charge. All documents submitted will be considered a public record upon submittal. Please indicate if credit is requested for any of the photos and/or maps.

# City of Newport Beach Local Coastal Program Certification Project Description

Although the City of Newport Beach has had a certified land use plan since 1982, full certification of the entire Local Coastal Program (LCP) has been allusive. This is due, in part, to the complexity of the Newport Beach's Coastal Zone. Although the City land area is less than twenty-four (24) square miles, Newport Beach has over forty-five (45) miles of shoreline. The shorelines range from the sandy beaches of West Newport and the Balboa Peninsula, to the rocky intertidal platform reefs of Corona del Mar, to the bulkheads of Newport Harbor, to the estuarine wetlands of the Upper Newport Bay and Semeniuk Slough. Likewise, Newport Beach's unique physical setting also provides a variety of terrestrial and marine habitats and natural landforms. These include balancing the protection of these resources with provision of public access and recreational opportunities, while respecting private property rights presents complex regulatory challenges.

Newport Beach's unique geography also presents administrative challenges to certification. Over half of Newport Beach's land area is in the Coastal Zone. The Coastal Zone literally divides the City; splitting neighborhoods and commercial districts alike.

Newport Harbor is one of the largest small craft harbor in the United States with over 9,000 boats at 2,119 commercial slips and side ties, 1,221 bay moorings, and 1,230 piers. Protecting, enhancing, and expanding services and facilities that are essential to a working harbor in the face of real estate inflation and land use conflicts is yet another challenge to certification.

Finally, Newport Beach is a major recreational center. Beach attendance averages over 9 million annually. Recreational activities include volleyball, swimming, surfing, windsurfing, boating, sailing, kayaking, paddle boarding, parasailing, rowing diving, excursions, and fishing. Protecting, enhancing, and expanding land uses that support these activities while protecting and serving the needs of residents presents another challenge to certification.

Addressing these and other challenges though the certification of the LCP will require a significant commitment of time, resources, and political capital. However, once accomplished, the LCP can serve as a model for other coastal communities.

## **Goals and Objectives**

The goal of the project is the certification of the City of Newport Beach Local Coastal Program. The specific objectives are:

- To prepare a Local Coastal Program Implementation Plan that implements the City of Newport Beach Certified Coastal Land Use Plan and Coastal Act of 1976 and that maximizes responsiveness to local conditions, accountability, and public accessibility.
- To consult and coordinate with California Coastal Commission staff during the preparation of the Implementation Plan.
- To provide maximum opportunities for the public and affected agencies to participate during the preparation process, approval, and certification of the Implementation Plan.

- To comply with Senate Bill 516 (Chapter 11, Statutes of 2001), which requires the City of Newport Beach to obtain approval and certification from the California Coastal Commission (CCC) for the City's Local Coastal Program for all of the geographic area within the coastal zone and the City's corporate boundaries as of June 30, 2000.

### **Project Details**

Certification of the LCP is a three-year project that will be conducted through nine (9) major tasks.

**Task 1 – Advisory Committee.** Task 1 was completed in October 2012 with appointment of the General Plan/Local Coastal Program Implementation Committee to provide oversight and direction to City staff on the preparation of the Implementation Plan.

**Task 2 – Draft Implementation Plan.** Task 2 involves the preparation of an administrative draft of the Implementation Plan. The Administrative Draft of the Implementation Plan will be prepared by City staff and will be used for internal review purposes. Task 2 is currently in progress, with the Administrative and Land Use Regulation chapters completed. Chapters on resource protection, coastal access, harbor regulations, and subdivisions still need to be drafted.

**Task 3 – Collaborate with CCC Staff.** Task 3 will be conducted concurrently with Task 2. It involves regular meetings with the California Coastal Commission, South Coast District staff. Task 3 is intended to receive input and guidance from the Coastal Commission staff in preparing regulations relating to the protection of coastal bluffs and canyons, coastal development permit exemptions and exclusions, administration of Public Trust Lands, and regulations relating to lower-cost visitor-serving uses. California Coastal Commission staff assistance is also required in developing a Permit Jurisdiction and Appeals Map. Task 3 began early in 2013 with California Coastal Commission staff review and initial comments on the City's existing bluff protection regulations.

**Task 4 – Community Outreach.** Task 4 will commence with the completion of the Public View Draft of the Implementation Plan. A notice of availability will be posted on the City's website and mailed to community associations, affected governmental agencies, and any person requesting a notice. Copies of the Public View Draft of the Implementation Plan will be provided online and at the Newport Beach Civic Center and at all branches of the Newport Beach Public Library. The City will then conduct a series on community workshops to present the Implementation Plan and receive public comments. Study sessions will also be conducted before the Planning Commission, the Harbor Commission, the Parks, Beaches, and Recreation Commission, and the City Council.

**Task 5 – Finalize Implementation Plan.** Based on the feedback received through the community outreach process, City staff will make appropriate revisions to the Implementation Plan. This will involve the continuation of Task 3, in collaboration with the California Coastal

Commission staff. This task will culminate with the preparation of the Public Hearing Draft of the Implementation Plan.

**Task 6 – City Public Hearings.** Task 6 involves the review and approval of the Public Hearing Draft of the Implementation Plan. Public hearing pursuant to the City of Newport Beach Municipal Code will be conducted before the Planning Commission and the City Council.

**Task 7 – Coastal Commission Review.** Following City approval, City staff will submit the Implementation Plan to the Coastal Commission for review. Given the complexity of the Implementation Plan, Task 7 provides for a time extension to allow the California Coastal Commission staff a reasonable time period to review the document. During this period, City staff will continue to work with the California Coastal Commission staff to resolve any outstanding issues. Task 7 will culminate with the approval of the Implementation Plan by the California Coastal Commission at a public hearing.

**Task 8 – City Council Adoption.** Following the transmittal of the Coastal Commission modifications to the Implementation, the General Plan/Local Coastal Program Implementation Committee will review the changes and submit recommendations to the City Council. At a public hearing, the City Council will consider the Coastal Commission modifications. Task 8 will successfully culminate with the City Council approval of the modifications.

**Task 9 – Certification.** The City will transmit the City Council's action to the California Coastal Commission. The Executive Director will determine that the action by the City is legally adequate. The California Coastal Commission will conduct a certification review and certify the Implementation Plan.

#### *Public Benefit/Significance*

The City of Newport Beach Coastal Land Use Plan won both the Orange County Section and the State American Planning Association awards for comprehensive planning in 2006. It is hoped that a certified LCP Implementation Plan will also serve as an example to other coastal communities. As stated above, the Coastal Zone in Newport Beach is very complex. Very few coastal communities of this size have such an abundance of shorelines, natural areas, recreational opportunities, public access, and viewsheds. Protecting, enhancing, and expanding these resources in the Implementation Plan will present challenges. With the exception of coastal agriculture and energy facilities, the Implementation Plan will need to address every Coastal Act issue. A successful outcome will provide encouragement to other communities to certify or update their LCPs as well as provide an example of how to address coastal issues.

#### *Relative Need for LCP Update/Extent of Update*

The Coastal Commission certified Newport Beach's first land use plan in 1982. This plan received a major update in 1990. In 2005, as part of the certification effort mandated by Senate Bill 516, the land use plan was completely rewritten in response to recommendations by the California Coastal Commission staff. This Coastal Land Use Plan (CLUP) was certified by the

Coastal Commission in 2005 and was updated in 2009 to reflect land use changes resulting from a comprehensive update of the City's General Plan in 2006.

The Implementation Plan is the next step in the certification process. With the CLUP, the Implementation Plan will govern the use of land and water in the coastal zone within the City of Newport Beach and its sphere of influence, with the exception of Newport Coast and Banning Ranch. Pursuant to Senate Bill 516, Newport Coast is governed by the previously certified and currently effective Newport Coast segment of the Orange County Local Coastal Program. Banning Ranch is a deferred certification area due to unresolved issues relating to land use, public access, and the protection of coastal resources.

#### *Addressing the Effects of Climate Change*

The Certified Coastal Land Use Plan contains policies addressing sea-level rise and other coastal hazards. The Implementation Plan will provide regulations and procedures to implement these policies. These include the preparation and periodic update comprehensive studies of seasonal and long-term shoreline change, episodic and chronic bluff retreat, flooding, local changes in sea levels, and other coastal hazard conditions.

#### *Likelihood of Success/Effectiveness*

The Implementation Plan effort is currently underway. An advisory committee has been appointed to oversee the drafting of the Implementation Plan and several draft chapters have been completed. Committee agenda and materials can be viewed at <http://www.newportbeachca.gov/index.aspx?page=791>. As provided for in Task 3, City staff is also consulting with the California Coastal Commission in the drafting of resource protection regulations.

Task 4 provides for a public outreach process. A notice of availability of the draft Implementation Plan will be posted on the City's website and mailed to community associations, affected governmental agencies, and any person requesting a notice. Copies of the Public View Draft of the Implementation Plan will be provided online, at the Newport Beach Civic Center, and at all branches of the Newport Beach Public Library. The City will then conduct a series of community workshops to present the Implementation Plan and receive public comments. Study sessions will also be conducted before the Planning Commission, the Harbor Commission, the Parks, Beaches, and Recreation Commission, and the City Council. In addition to receiving feedback from the community, this process will generate additional support for the certification effort.

#### *Workload and Permit Streamlining*

Certification of the Implementation Plan will delegate coastal development permit authority to the City of Newport Beach, thus relieving the South Coast District Office from processing approximately seventy (70) coastal development permit applications annually. In addition, the South Coast District Office will be relieved from verifying approximately thirty to fifty (30-50) coastal development permit exclusions permitted under Categorical Exclusion Order E-77-5.

This will allow the South Coast District Office resources to be shifted to other functions, including the updates of LCPs for other jurisdictions.

*Project Integration/Leverage/Matching Funds*

The City of Newport Beach has already devoted considerable staff resources to the certification effort during 2013 and this will continue in 2014 through 2015. Most notably, fifty (50%) percent of the Planning Manager position time is slated to LCP Certification. The City also retained a full-time contract planner at an annual cost of \$125,000.00 to take on assignments that would otherwise be assigned to staff working on LCP certification. The grant will be used to offset this and other staff costs.

In addition, the Fiscal Year 2013-14 Budget earmarks \$75,000.00 towards LCP Certification (see attached).



## SCHEDULE

Proposed starting date: October 2012.

Estimated completion: January 2016.

WORK PROGRAM	
TASKS	COMPLETION DATE
<b>Task 1. Advisory Committee</b>	
Objective: Establishment of an advisory committee to oversee the drafting of the Implementation Plan	
1.1 City Council Study Session	
1.2 Appointment of Committee	
Outcome/Deliverables:	Completed: October 2012
<b>Task 2. Draft Implementation Plan</b>	
Objective: Prepare an administrative draft of the Implementation Plan	
2.1 Administration/General Provisions	Completed: June 2013
2.2 Land Use Regulations	Completed: September 2013
2.3 Resource Protection Regulations	
2.4 Access Regulations	
2.5 Harbor Regulations	
2.6 Subdivision Regulations	
Outcome/Deliverables: Administrative Draft Implementation Plan	Projected Date: April 2014
<b>Task 3. Collaborate with CCC Staff</b>	
Objective: Early collaboration with Coastal Commission staff on key components of the Implementation Plan	
3.1 Bluff Protection Issues	
3.2 Canyon Protection Issues	
3.3 Exemptions/Exclusions	
3.4 Public Trust Lands	
3.5 Permit Jurisdiction and Appeals Map	
3.6 Lower-cost Visitor-serving Uses	
Outcome/Deliverables: Consensus on key issues	Projected Date: July 2014
<b>Task 4. Community Outreach</b>	
Objective: Maximize opportunities for the participation of the public and all affected governmental agencies in the preparation of the Implementation Plan	
4.1 Distribute Notice of Intent	
4.2 Community Workshops	
4.3 Commission/City Council Study Sessions	
Outcome/Deliverables: Feedback from the public and affected government agencies	Projected Date: October 2014
<b>Task 5. Finalize Implementation Plan</b>	
Objective: Review comments received during public outreach; revise, as necessary	
5.1 Finalize Draft Implementation Plan	
Outcome/Deliverables: Public Hearing Draft Implementation Plan	Projected Date: December 2014

<b>WORK PROGRAM</b>	
<b>TASKS</b>	<b>COMPLETION DATE</b>
<b>Task 6. City Public Hearings</b>	
Objective: Continue public participation process by conducting public hearings pursuant to the Municipal Code	
6.1 Planning Commission Hearings	
6.2 City Council Hearings	
Outcome/Deliverables: City approval of the Implementation Plan	Projected Date: March 2015
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Objective: Coastal Commission review of the Implementation Plan	
7.1 Application Submittal	
7.2 Application Review by CCC Staff	
7.3 Application Deemed Complete	
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7.5 Coastal Commission Hearing(s)	
Outcome/Deliverables: Coastal Commission approval of the Implementation Plan	Projected Date: September 2015
<b>Task 8. City Council Adoption</b>	
Objective: City Council review and adoption of the Implementation Plan with any modifications made by the Coastal Commission	
8.1 Final Language from CCC	
8.2 Review of CCC modifications by the GP/LCP Implementation Committee	
8.3 Adoption of IP with CCC Modifications	
Outcome/Deliverables: Resolution adopting the Implementation Plan as modified by the Coastal Commission	Projected Date: November 2015
<b>Task 9. Certification</b>	
Objective: Certification of the Implementation Plan	
9.1 Transmittal of City Council Action	
9.2 CCC Staff Review	
9.3 Certification by CCC	
Outcome/Deliverables: Certified Local Coastal Program	Projected Date: January 2016

<b>BENCHMARK SCHEDULE</b>	
<b>ACTIVITY</b>	<b>COMPLETION DATE</b>
Administrative Draft Implementation Plan I	April 2014
Administrative Draft Implementation Plan II	July 2014
Administrative Draft Implementation Plan III	September 2014
Public Hearing Draft Implementation Plan I	December 2014
Public Hearing Draft Implementation Plan II	February 2015
City-approved Draft implementation Plan	April 2015
Coastal Commission-approved Implementation Plan	September 2015
Certified Implementation Plan	January 2016

Task Number	Task	Total Cost	Allocation of total cost among all funding sources			
			Applicant's funding	LCP Grant Funding	Other Funds (define below)	Other funds (define below)
1	Advisory Committee	\$13,830.16	\$6,915.08	\$6,915.08	\$0.00	\$0.00
2	Draft IP	\$112,291.61	\$56,145.81	\$56,145.81	\$0.00	\$0.00
3	Collaboration with CCC staff	\$13,486.49	\$6,743.25	\$6,743.25	\$0.00	\$0.00
4	Community Outreach	\$22,982.73	\$11,491.37	\$11,491.37	\$0.00	\$0.00
5	Finalize IP	\$12,256.20	\$6,128.10	\$6,128.10	\$0.00	\$0.00
6	City Public Hearings	\$21,771.13	\$10,885.56	\$10,885.56	\$0.00	\$0.00
7	CCC Review	\$39,702.23	\$19,851.12	\$19,851.12	\$0.00	\$0.00
8	City Council Adoption	\$13,986.20	\$6,993.10	\$6,993.10	\$0.00	\$0.00
9	Certification	\$12,624.02	\$6,312.01	\$6,312.01	\$0.00	\$0.00
<b>TOTAL</b>		<b>\$262,930.78</b>	<b>\$131,465.39</b>	<b>\$131,465.39</b>	<b>\$0.00</b>	<b>\$0.00</b>

## BUDGET SUMMARY

### Grant Application Budget Form

Organization Name: City of Newport Beach

Project Title: Local Coastal Program Certification

Requested Amount: \$131,465.38

	Grant Request Budget	Total Project Budget (if different)
<b>Personnel:</b>		
Salaries and Wages <sup>(1)</sup>	<u>\$82,091.67</u>	<u>\$164,183.34</u>
Benefits <sup>(2)</sup>	<u>\$30,301.87</u>	<u>\$60,603.73</u>
<i>Total Personnel</i>	<u>\$112,393.53</u>	<u>\$224,787.07</u>
<b>Operating Expenses</b>		
Postage/Shipping	<u>\$1,000.00</u>	<u>\$2,000.00</u>
Supplies/Materials <sup>(3)</sup>	<u>\$0.00</u>	<u>\$0.00</u>
Travel <sup>(4)</sup>	<u>\$832.50</u>	<u>\$1,665.00</u>
Indirect Costs <sup>(5)</sup>	<u>\$11,239.35</u>	<u>\$22,478.71</u>
Other:		
Printing	<u>\$6,000.00</u>	<u>\$12,000.00</u>
<i>Total Operating Expenses</i>	<u>\$19,071.85</u>	<u>\$38,143.71</u>
<b>Total Budget</b>	<u><b>\$131,465.38</b></u>	<u><b>\$262,930.78</b></u>

<sup>(1)</sup> Attach an explanation of rate(s) and hours for each position for which funds are being requested.

<sup>(2)</sup> Amount requested for benefits not to exceed 40% of amount requested for salary or wage.

<sup>(3)</sup> Include a list of the major supplies and materials and how much they cost.

<sup>(4)</sup> Travel reimbursement rates are the same as similarly situated state employees.

<sup>(5)</sup> Indirect costs include, for example, a pro rata share of rent, utilities, and salaries for certain positions indirectly supporting the proposed project but not directly staffing it. Amount requested for indirect costs should be capped at 10% of amount requested for "Total Personnel."

## **RESOLUTION NO. 2013-83**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH AUTHORIZING SUBMITTAL OF A GRANT PROPOSAL TO, AND AUTHORITY TO ENTER INTO A CONTRACT WITH, THE CALIFORNIA COASTAL COMMISSION AND DESIGNATING AN AUTHORIZED REPRESENTATIVE**

WHEREAS, the Budget Act of 2013 provides an appropriation of \$1 million for Coastal Commission grants in Fiscal Year 13-14 to local governments to support Local Coastal Program (LCP) planning; and

WHEREAS, the California Coastal Commission, under the authority of the California Coastal Act, may provide financial assistance to support coastal planning and has approved a competitive grant program to provide such financial assistance for LCP planning; and

WHEREAS, the goal of the grant program is to develop new or updated LCPs in conformance with the California Coastal Act and to reflect current circumstances and new scientific information, including new understandings and concern for the effects of climate change; and

WHEREAS, grant proposals submitted under this grant program must complete land use plan and/or zoning work to either achieve submittal for certification of a Local Coastal Program (LCP) or an Area of Deferred Certification (ADC) or of an LCP Amendment to significantly update a certified LCP or LCP segments, including special emphasis on effects of climate change and sea-level rise; and

WHEREAS, the City of Newport Beach does not yet have a certified LCP; and

WHEREAS, the City of Newport Beach desires to pursue a project that would result in the completion and submittal for certification by the California Coastal Commission of an Implementation Plan; and

WHEREAS, the City of Newport Beach desires to pursue a project that would result in the completion and submittal for certification of an LCP by the California Coastal Commission and desires to assume permit issuing authority; and

WHEREAS, the City of Newport Beach commits to and agrees to fully support a planning effort intended to complete a certified LCP pursuant to the provisions of the California Coastal Act, with full public participation and coordination with the Coastal Commission staff.

WHEREAS, this authorization is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment (Section 15061.b.3 of the CEQA

Guidelines). It can be seen with certainty that there is no possibility that this authorization will have a significant effect on the environment; and therefore, this activity is not subject to CEQA.


NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newport Beach hereby:

1. Directs City of Newport Beach staff to submit the grant application package to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, for the certification of the Local Coastal Program.
2. Authorizes Brenda Wisneski, AICP, Deputy Community Development Director of the City of Newport Beach, to execute, in the name of the City of Newport Beach, all necessary applications, contracts and agreements and amendments thereto to implement and carry out the grant application package and any project approved through approval of the grant application.

PASSED AND ADOPTED on the 12<sup>th</sup> day of November, 2013.

  
Keith D. Curry, Mayor

ATTEST:

  
Leilani I. Brown, City Clerk



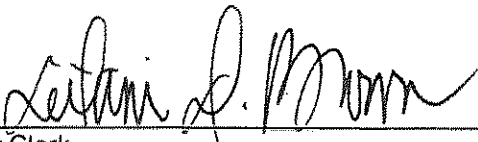
STATE OF CALIFORNIA                    }  
COUNTY OF ORANGE                    }  
CITY OF NEWPORT BEACH                }       ss.

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; that the foregoing resolution, being Resolution No. 2013-83 was duly and regularly introduced before and adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 12<sup>th</sup> day of November, 2013, and that the same was so passed and adopted by the following vote, to wit:

Ayes:       Gardner, Petros, Hill, Selich, Henn, Daigle, Mayor Curry

Nays:       None

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 13<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
City Clerk  
Newport Beach, California

(Seal)

